

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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J & J SPORTS PRODUCTIONS, INC.,

Plaintiff,

-against-

IMPERIAL LOUNGE & SPORTS BAR INC.
d/b/a IMPERIAL LOUNGE & SPORTS BAR
and SANDRA D. GAYARAM,

Defendants.
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MEMORANDUM & ORDER

08-CV-2061 (ENV) (MDG)

VITALIANO, D.J.

Plaintiff J & J Sports Productions, Inc. filed a complaint against defendants Imperial Lounge & Sports Bar Inc. and Sandra D. Gayaram on May 20, 2008, alleging unauthorized interception and display of a pay-per-view boxing match in violation of 47 U.S.C. §§ 553 and 605. After defendant failed to appear or otherwise respond to the complaint, plaintiff moved for default judgment on August 19, 2008. The Clerk of Court noted default and on March 20, 2009, the Court granted plaintiff's motion for default judgment with referral to Magistrate Judge Marilyn D. Go for a Report and Recommendation on damages.

Following a review on inquest of the relevant submissions, Judge Go issued a Report and Recommendation ("R&R") on March 30, 2012 (Dkt. No. 12), recommending that judgment be entered holding defendants jointly and severally liable to plaintiff in the amount of \$5150. This amount includes statutory damages in the amount of \$1200, 47 U.S.C. § 605(e)(3)(C)(i)(II), enhanced damages in the amount of \$3600, *id.* at § 605(e)(3)(C)(ii) and costs of \$350.¹ No objections to Judge Go's R&R have been timely filed.

¹ Plaintiff failed to present any evidence with regard to its costs or attorney's fees. As a result, Judge Go awarded an amount equal to the filing fee in this Court, to which plaintiff did not object.

In reviewing a report and recommendation, the court “may accept, reject, or modify, in whole or in part, the findings and recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). However, in order to accept a magistrate judge’s report and recommendation where no timely objection has been made, the “court need only satisfy itself that there is no clear error on the face of the record.” Urena v. New York, 160 F. Supp.2d 606, 609-10 (S.D.N.Y. 2001) (quoting Nelson v. Smith, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985)).

After careful review of all the evidence in the record below, the Court finds Judge Go’s R&R to be correct, comprehensive, well-reasoned, and free of any clear error. The Court, therefore, adopts the R&R in its entirety as the opinion of the Court. Accordingly, for the reasons stated in the R&R, judgment shall enter against defendants, jointly and severally, in the amount of \$5150, which includes \$1200 in statutory damages, \$3600 in enhanced damages, and \$350 in costs.

The Clerk is directed to enter judgment and to close this case.

SO ORDERED.

Dated: Brooklyn, New York
April 18, 2012

s/ ENV

ERIC N. VITALIANO
United States District Judge